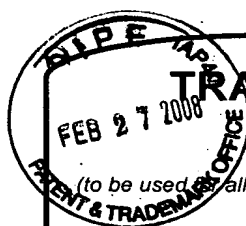


Please type a plus sign (+) inside this box → +

HDP/SB/21 based on PTO/SB/21 (08-00)

ifn AF
\$



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/964,893
Filing Date	September 28, 2001
Inventor(s)	Claud Erdmann FURST et al.
Group Art Unit	2615
Examiner Name	Xu Mei
Attorney Docket Number	45900-000664/US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Letter to the Official Draftsperson and _____ Sheets of Formal Drawing(s)	<input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims)
<input type="checkbox"/> Amendment	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Notice of Appeal , Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	MAIL STOP: AMENDMENT	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name John A. Castellano	Reg. No. 35,094
Signature			
Date	February 27, 2008		

JAC/CDW:psy

FEE TRANSMITTAL for FY 2008

Effective 2/8/2008. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 10

Complete if Known

Application Number	09/964,893
Filing Date	September 28, 2001
First Named Inventor	Claus Erdmann FURST et al.
Examiner Name	Xu Mei
Art Unit	2615
Attorney Docket No.	45900-000664/US

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 08-0750

Deposit Account Name Harness, Dickey & Pierce, PLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	310	2011	155	Utility filing fee	
1012	210	2012	105	Design filing fee	
1013	210	2013	105	Plant filing fee	
1014	310	2014	155	Reissue filing fee	
1005	210	2005	105	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	25 -34 ** = 0	X	0
Independent Claims	6 -7 ** = 0	X	0
Multiple Dependent			0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	210	2201	105	Independent claims in excess of 3
1203	370	2203	185	Multiple dependent claim, if not paid
1204	210	2204	105	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	460	2252	230	Extension for reply within second month	
1253	1,050	2253	525	Extension for reply within third month	
1254	1,640	2254	820	Extension for reply within fourth month	
1255	2,230	2255	1,115	Extension for reply within fifth month	
1401	510	2401	255	Notice of Appeal	
1402	510	2402	255	Filing a brief in support of an appeal	
1403	1,030	2403	515	Request for oral hearing	
1452	510	2452	255	Petition to revive - unavoidable	
1453	1,540	2453	770	Petition to revive - unintentional	
1462	400	1462	400	Petition fee under 37 CFR 1.17(f)	
1463	200	1463	200	Petition fee under 37 CFR 1.17(g)	
1464	130	1464	130	Petition fee under 37 CFR 1.17(h)	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	810	2809	405	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	810	2810	405	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	810	2801	405	Request for Continued Examination (RCE)	

Other fee (specify) Difference between \$500 Fee previously paid Notice of Appeal and \$510 fee for present Notice of Appeal

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$10)

4. SEARCH/EXAMINATION FEES

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1111	510	2111	255	Utility Search Fee
1112	100	2112	50	Design Search Fee
1113	310	2113	155	Plant Search Fee
1114	510	2114	255	Reissue Search Fee
1311	210	2311	105	Utility Examination Fee
1312	130	2312	65	Design Examination Fee
1313	160	2313	80	Plant Examination Fee
1314	620	2314	310	Reissue Examination Fee
SUBTOTAL (4)				

SUBTOTAL (4) (\$0)

SUBMITTED BY

Name (Print/Type)	John A. Castellano	Registration No. (Attorney/Agent)	35,094	Telephone	(703) 668-8000
Signature		Date	February 27, 2008		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: Claus Erdmann FURST et al. Filed: September 28, 2001

Appln. No.: 09/964,893 Examiner: Xu Mei

Group: 2615 Conf.: 1329

For: MICROPHONE UNIT WITH INTERNAL A/D CONVERTER

Atty. Dkt. No.: 45900-000664/US

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Amendment

February 27, 2008

**NOTICE OF REINSTATEMENT OF APPEAL
FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS
UNDER 37 C.F.R. §41.31**

Sir:

In response to the Office Action mailed on November 27, 2007 of the Primary Examiner's twice rejection of claims 1, 5, 7, 17, 18, 36 and 38, Applicants hereby reinstate the appeal to the Board of Patent Appeals and Interferences ("the Board") under 37 C.F.R. §41.31.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☐ The enclosed document is concurrently filed with a Pre-Appeal Brief Request for Review.

Applicants hereby petition for an extension of _____ () month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$.00 is required for the full period of the above-requested extension of time.

☐ An extension of _____ () month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$ _____ is required.

Adjustment date: 02/28/2008 AWONDAF1
06/25/2007 CHGUYEN2 00000034 09964893
01 FC:1401

02/28/2008 AWONDAF1 00000073 09964893

01 FC:1401

510.00 OP

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

Pursuant to 37 C.F.R. §41.20(d)(1), the Government fee for filing a Notice of Appeal is calculated as follows:

☒ A final Board decision has not been made on the prior appeal for the present application. Thus, Applicants request that the fee of \$500.00 previously paid for the Notice of Appeal filed on June 22, 2007 be applied to the present appeal on the same application. See MPEP §§1204.01 and 1207.04.

☒ Large entity - \$510.00 for present Notice of Appeal minus fee of \$500.00 previously paid for the Notice of Appeal filed on June 22, 2007.

☐ Small Entity - \$255.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$10.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ Check in the amount of \$10.00 is enclosed.

☐ Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By

John A. Castellano, Reg. No. 35,094

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JAC/CDW:psy